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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,145	03/16/2004	Hidetaka Mizumaki	70404.21	2169
54072 7590 11/15/2007 SHARP KABUSHIKI KAISHA C/O KEATING & BENNETT, LLP 8180 GREENSBORO DRIVE SUITE 850 MCLEAN, VA 22102			EXAMINER GUILL, RUSSELL L	
			ART UNIT 2123	PAPER NUMBER
			NOTIFICATION DATE 11/15/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JKEATING@KBIPLAW.COM  
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**Advisory Action**  
**Before the Filing of an Appeal Brief**

Application No.

10/801,145

Applicant(s)

MIZUMAKI, HIDETAKA

Examiner

Russ Guill

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 October 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-18,20,22-24 are rejected as in the Final Office Action. Please see attached response.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
Please refer to the response to the Applicant's arguments below.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_.

  
PAUL RODRIGUEZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

1. As previously recited, the Examiner would like to thank the Applicant for the well-presented response, which was useful in the examination process. The Examiner appreciates the effort to carefully analyze the Office Action, and make appropriate and clear arguments and amendments.

*Response to Remarks*

2. Regarding claims 22 - 23 rejected under 35 USC § 112, second paragraph:
  - a. Applicant's claim amendments overcome the rejection.
3. Regarding claims 1 - 14 and 17 - 25 rejected under 35 USC § 103:
  - a. Applicant's arguments have been fully considered, but are not persuasive, as follows. Accordingly, the rejections are maintained.
  - b. The Applicant argues:
  - c. Applicant respectfully traverses the rejections of claims 1-18, 20, and 22-24. Claim 1 recites:

A method for designing a new integrated circuit (IC) based on IC designing information transmitted from a manager, the IC designing information including standard library designing information and custom library designing information and being stored in, and managed by, the manager, the method comprising the steps of:

(a) transmitting at least part of the IC designing information, including a portion of the standard library designing information, from the manager to a design terminal through the Internet;

(b) designing the new IC by a user located at the design terminal in accordance with the at least part of the IC designing information;

(c) transmitting newly designed IC information, including new IC testing information to evaluate the new IC, from the design terminal to the manager through the Internet;

(d) evaluating the new IC by the manager based on the newly designed IC information; and (e) adding at least part of the newly designed IC information to the custom library designing information that is stored in the manager, thereby updating the custom library designing information.

(emphasis added)

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d. Applicant's claims 17, 20, and 22-24 recite features that are similar to the features and method steps recited in Applicant's claim 1, including the above-emphasized features and method step.

e. The Examiner maintained the prior art rejections from the previous Office Action and alleged that Applicant's arguments were addressed to features not recited in the claims, and that Chen et al. does appear to teach that the SOC designs may be used by other designers. Applicant respectfully disagrees.

f. First, Applicant referred to the feature of the standard library design in information as element 206 of Chen et al., even though the Examiner referred to the standard library designing information as element 220 of Chen et al., because element 206 of Chen et al. more accurately corresponds to the claimed feature of the standard library designing information (see, for example, Applicant's arguments on page 14 and the paragraph bridging pages 14 and 15 in the Amendment filed June 13, 2007). More importantly, element 206 of Chen et al. includes element 220 of Chen et al. See, for example, paragraph [0034] of Chen et al. which states:

g. As illustrated, for the embodiment, **IP package 206 includes package description 210 and its constituting parts 210 and its constituting parts 220** (or pointers/links to these parts 220). (emphasis added)

h. Thus, contrary to the Examiner's allegation in section iii. on pages 6 and 7 of the outstanding Office Action, Applicant's arguments regarding element 206 of Chen et al. inherently include element 220 of Chen et al. and are directed to the rejections in the previous Office Action.

i. Consequently, Applicant's argument that the standard library designing information 206 of Chen et al. is only available for downloading inherently includes the argument that element 220 of Chen et al. is only available for downloading.

i. The Examiner respectfully replies:

ii. The Examiner agrees that IP Packages 206 can only be downloaded from their source, however, the parts are then stored as part of the SOC design, as follows. Paragraph [0074] of Chen recites, "The actual parts 220, if present, are stored in repository 270, whereas pointers/links to the

parts are stored in database 260." Thus Chen specifically recites that parts 220 (which include parts 206) are stored. Further, figure 2 of Chen shows the parts 220 stored in the Repository 270.

j. The Applicant argues:

k. Second, the Examiner alleged that Applicant's argument that the standard library designing information 206 (or 220) of Chen et al. is only available for downloading is not directed to features recited in the claims. However, this argument directly supports Applicant's conclusion that since the standard library designing information 206 (or 220) of Chen et al. is only available for downloading, at least a part of the standard library designing information 206 (or 220) of Chen et al. CANNOT be added to the custom library designing information (see, for example, Applicant's arguments in the first full paragraph on page 15 in the Amendment filed June 13, 2007).

l. Thus, Chen et al. clearly fails to teach or suggest the features and method step of "adding at least part of the newly designed IC information to the custom library designing information that is stored in the manager, thereby updating the custom library designing information," as recited in Applicant's claim 1, and similarly in Applicant's claims 17, 20, and 22-24.

i. The Examiner respectfully replies:

ii. Paragraph [0074] of Chen recites, "The actual parts 220, if present, are stored in repository 270, whereas pointers/links to the parts are stored in database 260." Thus Chen specifically recites that parts 220 (which include parts 206) are stored. Further, figure 2 of Chen shows the parts 220 stored in the Repository 270. Since the Applicant's argument is based on the premise that standard library designing information 206 (or 220) of Chen et al. is only available for downloading, the Applicant's conclusion does not follow.

m. The Applicant argues:

n. Third, on page 7 of the outstanding Office Action, the Examiner alleged "the claims do not appear to recite a limitation that the SOC designs may be used by other designers." Nevertheless, the Examiner further alleged "Chen appears to suggest that SOC designs may be used by other designers because figure 20 and paragraph [0129] teach the SOC designs stored on a server 2006 with multiple client devices 2002 accessing the server 2006, and it would have been obvious to the ordinary artisan at the time of the invention that data stored on a server was accessible by multiple clients." Applicant respectfully disagrees.

o. As addressed above, the argument that the SOC designs disclosed by Chen et al. may not be used by other designers directly supports Applicant's conclusion that the SOC design of a particular designer is NOT added to a custom library designing information that is stored in the manager such that it is available to other designers. Fig. 20 and paragraph [0129] of Chen et al. do not teach or remotely suggest that the multiple client devices 2002 (i.e., designers) have access to SOC designs of other client devices 2002 stored on the server 2006. The Examiner's allegation that it would have been obvious that data stored on the server would be accessible by multiple clients misses the mark as the Examiner does not state exactly what data should be accessible to the multiple clients. Clearly, one of ordinary skill in the art would not have been motivated to modify the system of Chen et al. to allow designers to have access to other designer's SOC designs. As the Examiner is well aware, SOC designs are the result of much effort and expense on the part of the designer. Thus, lacking any specific teaching by Chen et al. to the contrary, SOC designers would NOT be willing to share their SOC designs with other designers.

p. Thus, Chen et al. clearly fails to teach or suggest the features and method step of "adding at least part of the newly designed IC information to the custom library designing information that is stored in the manager, thereby updating the custom library designing information" as recited in Applicant's claim 1, and similarly in Applicant's claims 17, 20, and 22-24.

i. The Examiner respectfully replies:

ii. First, paragraph [0060] of Chen recites, "Note that while the description thus far has described IP packages 206 as re-usable IP provided by IP providers, it will be appreciated by those ordinarily skilled in the art that application specific logic of a targeted SOC design may be likewise incorporated in like manner, using Tool Suite 204, as any of the re-useable IP supplied by IP providers". Thus Chen clearly suggests using an SOC design as re-useable IP, which an ordinary artisan would have known is used by other designers. Therefore, Figure 20 and paragraph [0129] of Chen clearly suggests that the multiple client devices 2002 (i.e., designers) have access to SOC designs of other client devices 2002 stored on the server 2006. Further, the ordinary artisan would have known that SOC designs are shared, as further evidenced by the art of Dole, in figure 2, element 2517 IP Bank, and column 6, lines 11 - 15 which recites, "Upon completion of the design of the integrated circuit or block, design details are provided by the web server . . . to an IP bank to allow other designers use of the designed block", and figure 29, element 2429, IP bank, and column 9, lines 65 - 67 which recites, ". . . a IP bank 2429 which stores block information so as to allow for reuse of IP blocks," wherein block information are the designed IP blocks as shown in figure 1 and column 1, lines 19 - 47.

q. The Applicant argues:

r. The Examiner relied upon Dole and Haase to allegedly cure the deficiencies of Chen et al. However, Dole and Haase clearly fail to teach or suggest the features and method step of "adding at least part of the newly designed IC information to the custom library designing information that is stored in the manager, thereby updating the custom library designing information," as recited in Applicant's claim 1, and

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similarly in Applicant's claims 17, 20, and 22-24. Thus, Applicant respectfully submits that Dole and Haase fail to cure the deficiencies of Chen et al., described above.

S. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 17, 20, and 22-24 under 35 U.S.C. § 103(a) as being unpatentable over Chen et al. in view of Dole and Haase.

- i. The Examiner respectfully replies:
- ii. As discussed above, Chen appears to teach the recited limitations, and thus the rejections are maintained.

t. The Applicant argues:

u. The Examiner relied upon Frank et al. to allegedly cure the deficiencies of Chen et al., Dole, and Haase. However, Frank et al. clearly fails to teach or suggest the features and method step of "adding at least part of the newly designed IC information to the custom library designing information that is stored in the manager, thereby updating the custom library designing information," as recited in Applicant's claim 1, and similarly in Applicant's claims 17, 20, and 22-24. Thus, Applicant respectfully submits that Frank et al. fails to cure the deficiencies of Chen et al., Dole, and Haase described above.

v. Accordingly, Applicant respectfully submits that Chen et al., Dole, Haase, and Frank et al., applied alone or in combination, fail to teach or suggest the unique combination and arrangement of features and method steps recited in Applicant's claim 1, and similarly in Applicant's claims 17, 20, and 22-24.

w. In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1, 17, 20, and 22-24 are allowable. Claims 2-16 and 18 depend upon claims 1 and 17, and are therefore allowable for at least the reasons that claims 1 and 17 are allowable.

- i. The Examiner respectfully replies:



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ii. Since the rejections of the independent claims 1, 17, 20 and 22 - 24 were maintained as discussed above, the rejections of the dependent claims are maintained.

iii. The art of Chen, Dole and Haase appears to clearly teach the Applicant's claimed invention, and especially the argued limitation of, "adding at least part of the newly designed IC information to the custom library designing information that is stored in the manager, thereby updating the custom library designing information".